

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

BREITENBACH et al.

Serial No.: TO BE ASSIGNED

Filed: Herewith

For: FORMULATIONS BASED ON LIPOIC ACID FOR ITS PRODUCTION AND THE
USE OF THIS FORMULATION FOR ORAL ADMINISTRATION OF LIPOIC
ACID

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to initial examination of the above-identified application, kindly amend the
application as follows.

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BREITENBACH et al.

Atty Docket No. 0480/1240

REMARKS

The claims have been amended to eliminate multiple dependency and to place them in better form for U.S. practice. Favorable action on the application is solicited.

Please charge any shortage in fees due in connection with the filing of this paper, to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read 'H B Keil', written in a cursive style.

Herbert B. Keil
Reg. No. 18,967

1101 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 659-0100
HBK/mks

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CLEAN VERSION OF AMENDED CLAIMS

Claims 7 and 8 should read as follows:

- 7.(amended) A formulation as claimed in claim 1 by melt extrusion of a mixture comprising lipid acid or a physiologically acceptable salt thereof, binder and, where appropriate, other active substances and/or other physiologically acceptable excipients.
- 8.(amended) A method for oral administration of lipid acid or of a physiologically acceptable salt thereof, comprising administering a formulation as claimed in claim 1, where appropriate with the addition of other excipients as dosage form.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE IN THE CLAIMS

Please amend claims 7 and 8 as follows:

7. A formulation as claimed in [any of the preceding claims,] claim 1 by melt extrusion of a mixture comprising lipid acid or a physiologically acceptable salt thereof, binder and, where appropriate, other active substances and/or other physiologically acceptable excipients.
8. A method for oral administration of lipid acid or of a physiologically acceptable salt thereof, comprising administering a formulation as claimed in [any of claims 1 to 7] claim 1, where appropriate with the addition of other excipients as dosage form.

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